

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION  
2:12 cr 07**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>HARLAND LAVERN SQUIRREL.</b>	)	
<hr style="width:40%; margin-left:0"/>	)	

**THIS MATTER** has come before the Court pursuant to a Motion For Pretrial Release (#80) filed by counsel for Defendant. The motion does not show that counsel for Defendant has conferred with opposing counsel as to the relief sought and thus there has not been compliance with LCrR 47.1(B) which states as follows:

**(B) Certificate of Conference With Filing.**

Pretrial motions, other than motions to suppress, *ex parte* motions, and notices (notice of substitution of counsel, notice of appearance, notice of intent to present certain types of evidence, etc.) shall include a certification that the moving party has conferred with opposing counsel and state opposing counsel's position on the relief sought, or an explanation as to why conferring should not be required under the circumstances. If a hearing on a motion is requested, counsel should estimate the length of such hearing.

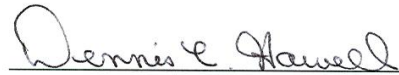
The motion of Defendant does not reflect any consultation with the government nor is there any estimate of the length of the hearing. As a result, the motion of Defendant's counsel will be denied without prejudice. Based upon the

foregoing Local Rule and the motion of Defendant, the Court enters the following order.

**ORDER**

**IT IS, THEREFORE, ORDERED** the Motion for Pretrial Release (#80) is hereby **DENIED** without prejudice. Defendant's counsel will be allowed, should he choose to do so, file further pleadings reflecting compliance with LCrR 47.1(B).

Signed: February 7, 2013

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Dennis L. Howell  
United States Magistrate Judge

